

REMARKS

This submission responds to the Official Action mailed on May 5, 2005, by which the Patent Office has re-opened prosecution in lieu of continuing the Appeal of the prior rejections, all of which have been withdrawn.

Applicant traverses the rejections of all claims particularly because the relevant teachings of Solboe are not prior art to the pending claims and, therefore, the outstanding rejection cannot stand.

The following comments are made with respect to each of independent claims 1, 6, 12, and 21, except when a specific one of these claims is being discussed.

Claim Amendments

The amendments herein, as explained below, raise no new issues nor do they require further searching as they are fully within the scope of prosecution to date. If the Examiner disagrees, he is invited to contact the undersigned so that a Supplemental Response can be filed in which the amendments are withdrawn. The issues raised in the Outstanding Office Action, which Applicant submits do not make out a *prima facie* case of obviousness, should be withdrawn in favor of an allowance of all claims, or a non-final action on the merits should be mailed for Applicant's further consideration.

Claims 1 and 12 have been amended to recite that human visitors post "an identification" of the song to the server, rather than the more specific requirement of posting "the name." These amendments are consistent with the last step in these claims in which the received notification is that "the song has been identified." This amendment is not made for any reason relating to patentability, but rather is made to more completely cover the subject matter of Applicant's disclosure.

Claim 6 has been amended to clarify that the playing of the voice clip is through speakers attached to the client machine, that is, an audible reproduction of sound as opposed to parsing a datafile or keys derived from a datafile. *See, e.g.,* page 13, lines 13-14 of the Specification for support for this amendment.

sent to other client machines or to a community of users who selectively provide responses and receive awards for doing so. The server of Zhang et al. has the principal components necessary to resolve the query and provide a response to the client machine without human intervention, and that is why the "voice clip" is downloaded to the server.

The proposed combination with the game of Solboe has the guesses made by human participants as replacing the database-driven engine of Zhang et al. However, the further teachings of Solboe do not rectify the skewed application of Zhang et al. as noted above. Accordingly, the features of claim 6 are not taught or suggested by the proposed combination and claim 6 is allowable for this further reason.

In view of the foregoing, Applicant respectfully requests withdrawal of the rejections and allowance of all claims.

Dated: September 2, 2005

Respectfully submitted,

By 

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PROVISIONAL APPLICATION FOR PATENT, TRANSMITTAL LETTER

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08/05/99

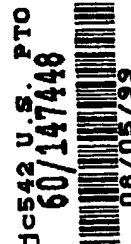
Docket Number: 527

To the Assistant Commissioner for Patents:

Transmitted herewith for filing under 37 C.F.R. 1.53(c) is the provisional application for patent of:

Inventor(s):

William L. Solboe



entitled: "Board Game For Guessing Song Titles and Artists"

Enclosed are:

- ☒ 10 pages of written description.
- ☒ 3 sheets of drawings.
- ☐ an assignment of the invention to _____
- ☐ declaration of the inventors.
- ☐ a certified copy of a _____ application.
- ☐ associate power of attorney.
- ☒ a verified statement by inventors to establish small entity status under 37 CFR 1.9 and 1.27.
- ☐ verified statements by non-inventors per 37 CFR 1.27(b).

PROVISIONAL APPLICATION FEE..... \$150

If applicant has small entity status under 37 CFR 1.9 and 1.27,
then divide total fee by 2, and enter amount here

SMALL ENTITY TOTAL \$75

- ☒ A check in the amount of \$ 75.00 to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. I have enclosed a duplicate copy of this sheet.
- ☐ Charge the amount of \$ _____ as filing fee
- ☐ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

8/5/99
Date

Signature

Donald J. Ersler, Reg. #38,753
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8/05/99
U.S. PTO

PROVISIONAL APPLICATION FOR PATENT, COVER SHEET
Request for filing a Provisional Application for Patent under 37 CFR 1.53(c)

INVENTOR(S):

William L. Solboe

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Shorewood, Wisconsin 53211

1c542 U.S. PTO
60/147448
08/05/99

TITLE OF THE INVENTION:

Board Game For Guessing Song Titles and Artists

CORRESPONDENCE ADDRESS:

Donald J. Ersler
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STATE: Wisconsin ZIP CODE: 53005 COUNTRY: USA

ENCLOSED APPLICATION PARTS (check all that apply)

☒ Specification (10) pages ☒ Small Entity Statement
☒ Drawing(s) (3) Number of Sheets ☐ Other (specify): _____

METHOD FOR PAYING FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT:

☒ A check or money order is enclosed to cover filing fees Filing Fee Amount: \$ 75.00
☐ The Commissioner is authorized to charge filing fees or credit over payment to Account #: _____

The invention was made by an agency of the United States Government or under contract with an agency of the United States Government.

☒ No
☐ Yes, the name of the Government agency and the Government contract are: _____

Respectfully submitted,



Donald J. Ersler
Reg. No. 38753

Date: 8/5/99

Docket Number: 527

665030 "BTTT" 080599

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b)) - INDEPENDENT INVENTOR

Docket Number: 527

Applicant or Patentee: William L. Solboe and

Serial or Patent Number: (unknown)

Filed or Issued: (herewith)

Title: "Board Game For Guessing Song Titles and Artists"

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent Office described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under CFR 1.9(a).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ No such person, concern or organization exists.

☐ Each such person, concern or organization is listed below:

FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUS. CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUS. CONCERN ☐ NONPROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

William L. Solboe

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

SIGNATURE OF INVENTOR

SIGNATURE OF INVENTOR

SIGNATURE OF INVENTOR

DATE

DATE

DATE

BOARD GAME FOR GUESSING SONG TITLES AND ARTISTS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates generally to board games and more specifically to a board game for guessing the song titles and artists of any type of music.

2. Discussion of the Prior Art

There are a variety of board games devoted to numerous topic areas. However, there appears to be no other board game which is flexible enough to allow players to choose any type of musical material as the source for the questions.

Accordingly, there is a clearly felt need in the art for a board game for guessing the song titles and artists of any type of music while providing a clever and competitive scoring system.

SUMMARY OF THE INVENTION

The primary objective of the present invention is to provide a board game for guessing the song titles and artists of any type of music while providing a clever and competitive scoring system.

According to the present invention, a board game for guessing song titles and artists includes a game board, record spinner, timer, alarm device, and a plurality of game pieces. The game board has a scoring area on one end and a spinner area on the other end thereof. The scoring area allows the plurality of the game pieces to be used therein. The spinner area has an area for mounting the record spinner. The area surrounding the record spinner has a plurality of scoring categories. Each player or

or team places a game piece in the start position. Each player or team takes turns rotating the record spinner. The record spinner will point to one of a plurality of scoring categories. A person acting as a disc jockey, but not playing the game, will play the songs. Depending upon the category pointed to by the record spinner, the player(s) or team(s) will have a predetermined amount of time to guess the title and artist of a particular song or implement the prescribed action. If time expires, or when the title and artist of the song are correctly guessed; the next player rotates the record spinner. The timer is used to signal when time has expired for an individual player or team to guess the correct answers by themselves. The alarm device is used to signal a correct answer or to signal that a guessing stage has begun. The first player or team to reach the maximum number of points wins the game.

Accordingly, it is an object of the present invention to provide a board game for guessing song titles and artists which allows any type of music to be used.

Finally, it is another object of the present invention to provide a board game for guessing song titles and artists which provides a clever and competitive scoring system.

These and additional objects, advantages, features and benefits of the present invention will become apparent from the following specification.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a top view of a game board of the board game for guessing song titles and artists in accordance with the present invention.

Figure 2 is a side view of a game board of the board game for guessing song titles and artists in accordance with the present invention.

Figure 3 is a perspective view of a hinged game box used to hide the activities of the disc jockey in accordance with the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

With reference now to the drawings, and particularly to figure 1, there is shown a top view of a game board 10 of the board game for guessing song titles and artists 1. With reference to figure 2, a board game for guessing song titles and artists 1 includes a game board 10, record spinner 12, timer, alarm device, and a plurality of game pieces 14. The game board 10 has a scoring area 16 on one end and a spinner area 18 on the other end thereof. The scoring area 16 allows a plurality of the game pieces 14 to be used thereupon. The game pieces 14 are preferably guitar picks, but could be any item which has been or will be used for a game piece. The scoring area 16 may be graphically designed in any particular way. The first player or team to obtain the maximum number of points at the top of the point column 20 wins the game. The spinner area 18 preferably includes the record spinner 12, and a plurality of scoring categories 22. The record spinner 12

preferably includes a record 13 and a record spindle 24. The plurality of scoring categories 22 are located in an area surrounding the record 13. A bottom of the record spindle 24 is mounted to the game board 10 in the spinner area 18. The record 13 is placed over a top of the record spindle 24. The record 13 is freely rotatable relative to the record spindle 24.

The game requires at least three players; a compact disc player, phonograph, or tape deck; and compact discs, records, or tapes. The compact disc player, phonograph, or tape deck may be replaced with a radio, computer, television, or internet access. There must be a disc jockey who plays the music, but does not play the game, and at least two other players or teams. With reference to figure 3, the disc jockey may use a hinged game box 28 to hide his/her activities from the players. In one variation of the standard game, the disc jockey is also allowed to hum the song instead of playing pre-recorded music. Any type of music that the players or teams agree upon may be played. It is recommended that a single type of music be used, or music from a particular era. It is preferably that the time period for guessing be 60 seconds to allow the disc jockey time to award points and prepare for the next song. The guessing time period does not have to be 60 seconds, but could be any number mutually agreed upon by the players or teams. If the players or teams cannot answer within the agreed upon time limit, the disc jockey may give hints, or help by spelling out the artist name and/or song title slowly, letter by letter until the answers are correctly guessed.

Preferably, the game is started by positioning the players or teams around the game board 10. The disc jockey rotates the record spinner 12. Which ever player or team that is closest to the pointer 26 of the record spinner 12 goes first. The order of the succeeding players are determined in a clockwise rotation. One point is preferably given for guessing the correct artist of a song and one point is preferably given for guessing the correct title of a song. It is possible that one player or team guesses the correct title while the other player or team guesses the correct artist. Play begins when the first player or team rotates the record spinner 12. The pointer 26 will come to rest on one of preferably seven scoring categories: Mayhem, Amplify Mayhem, Mute Mayhem, Solo, Amplify Solo, Equalizer, or Amplify Equalizer.

In Mayhem, the disc jockey starts the music and all players are allowed to shout out the artist and/or song title. The first player(s) or team(s) to correctly identify the artist and/or title earns one point for each correct answer. Amplify Mayhem is the same as Mayhem, except that the point values are doubled for each correct answer. Mute Mayhem is the same as Mayhem, except the active player or team chooses a particular player or team who is eliminated from participating in guessing of the artist or title.

In Solo, only the player or team that spun and landed on Solo is allowed to guess preferably for the first 15 seconds after the song has been played. The disc jockey uses a timer to measure the 15 second time period. After the timer runs out, the disc jockey activates the alarm device; if the active player or team has not

guessed the artist and title of the song. Amplify Solo is the same as Solo, except that point values are doubled.

In Equalizer, no music is played. When a player or team lands on this category, one point is deducted from the score of the first place player(s) or team(s). Amplify Equalizer is the same as Equalizer, except that two points are subtracted from the first place player(s) or team(s). The timer is preferably of the hour glass variety; sand runs through a thin opening for 15 seconds. The alarm device may be a bell or any type of device which makes a loud noise when activated. Each player or team moves their game piece in response to receiving or losing points.

There are at least three alternatives to the standard game. The first alternative is Karaoke Style. The disc jockey is used along with another non-player who's chosen to be the singer. The singer listens to the music on headphones and sings the song to the other players who guess as in the standard game.

The second alternative is Written Style. The answers are written rather than shouted out. Each player or team writes their name on an answer sheet before the start of each song. The player or team rotates the record spinner 12 to determine the scoring category. Each player or team is allowed two answer sheets with a maximum of two guesses per sheet. Answer sheets are placed face down on the record spinner 12. After 60 seconds, the disc jockey flips the stack over to determine who identified the artist and/or title correctly. Only the first correct answers are scored.

The third alternative is On-Air Live Style. The disc jockey is a real radio station disc jockey. The disc jockey rotates the record spinner 12 and announces the category and team. The disc jockey would also keep track of each team's score. There could be two or more teams that phone in their answers in response to the play of a particular song.

While particular embodiments of the invention have been shown and described, it will be obvious to those skilled in the art that changes and modifications may be made without departing from the invention in its broader aspects, and therefore, the aim in the appended claims is to cover all such changes and modifications as fall within the true spirit and scope of the invention.

I claim:

1. A board game for guessing information about a song comprising:

a game board;

a plurality of game pieces;

a scoring area disposed on one end of said game board, said scoring area providing spaces for said plurality of game pieces;

a record spinner being disposed on the other end of said game board, said record spinner having a pointer disposed on a peripheral edge thereof, a plurality of scoring categories being disposed on said game board around said record spinner, wherein a song being played by a disc jockey, at least two players being given a set period of time to guess information concerning said song.

2. The board game for guessing information about a song of claim 1, wherein:

information about said song being the artist who performed said song.

3. The board game for guessing information about a song of claim 1, wherein:

information about said song being the title of the said song.

4. A method for playing a game which allows players to guess information concerning a particular song, comprising the steps of:

- (a) assigning an order of play to at least two players
- (b) rotating a spinner to determine a scoring category, said spinner being rotated by one of said at least two players;
- (c) playing said particular song, said particular song being played by a non-player;
- (d) addressing said non-player with information concerning said particular song, said at least one player addressing said non-player; and
- (e) awarding at least one player with at least one unit of points if information about said particular song is answered correctly.

5. The method for playing a game which allows players to guess information concerning a particular song of claim 4, comprising the additional steps of:

- (f) deducting at least one unit of points from at least one player if said record spinner points to a particular scoring category.

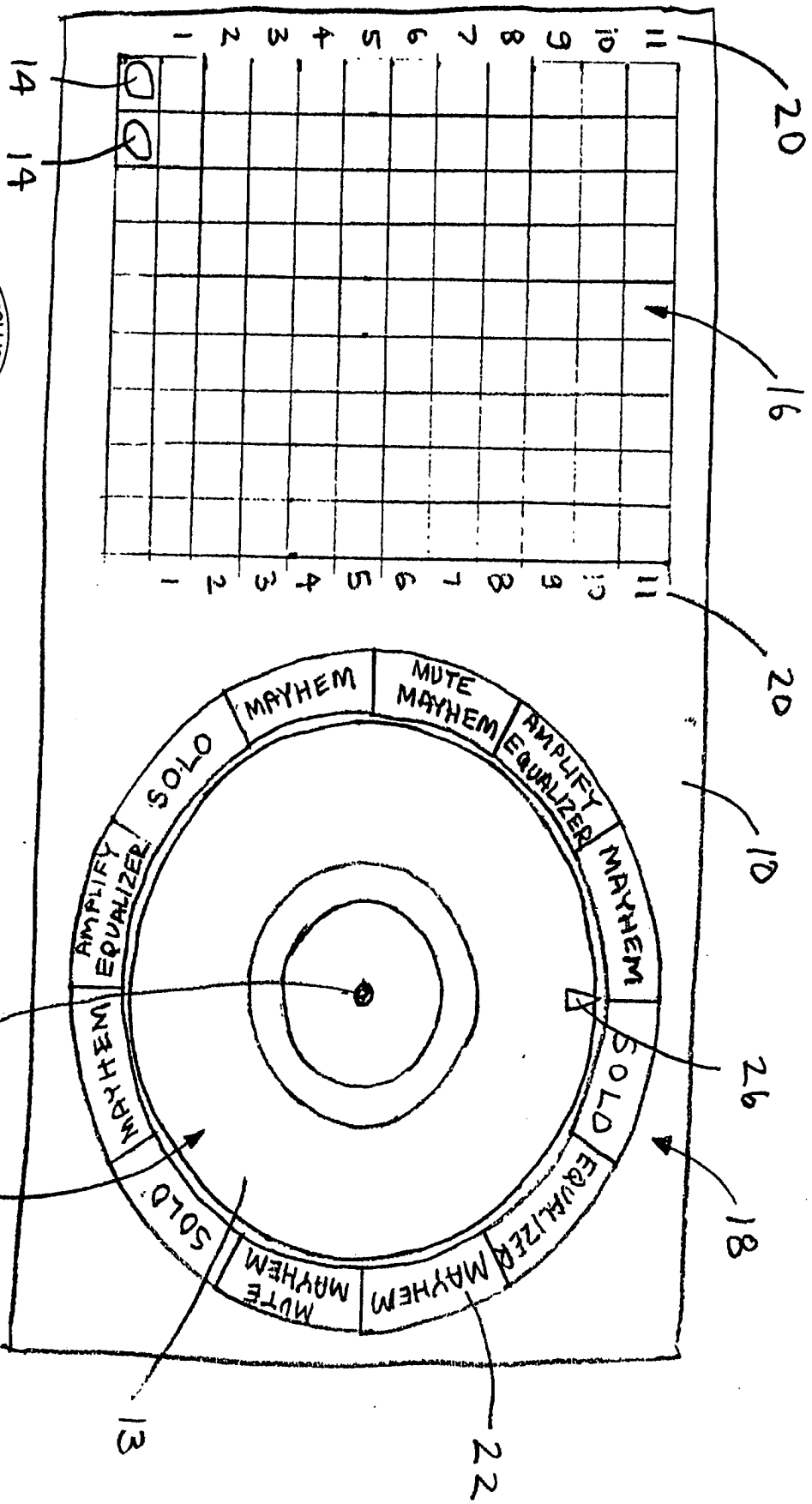
ABSTRACT OF THE DISCLOSURE

A board game for guessing song titles and artists includes a game board, record spinner, timer, alarm device, and a plurality of game pieces. The game board has a scoring area on one end and a spinner area on the other end thereof. The plurality of game pieces are placed in the scoring area and the record spinner is pivotally mounted in the spinner area. The area surrounding the record spinner has a plurality of scoring categories. Each player or team takes turns rotating the record spinner. The record spinner will point to one of a plurality of scoring categories. A person acting as a disc jockey, but not playing the game, will play the songs. Depending upon the category pointed to by the record spinner, the player(s) or team(s) will have a predetermined amount of time to guess the title and artist of a particular song or implement the prescribed action. If time expires, or the title and artist of the song are guessed, the next player rotates the record spinner. The timer is used to signal when time has expired for an individual player or team to guess the correct answers by themselves. The alarm device is used to signal a correct answer or to signal that a guessing stage has begun. The first player or team to reach the maximum number of points wins the game.



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FIG. 1



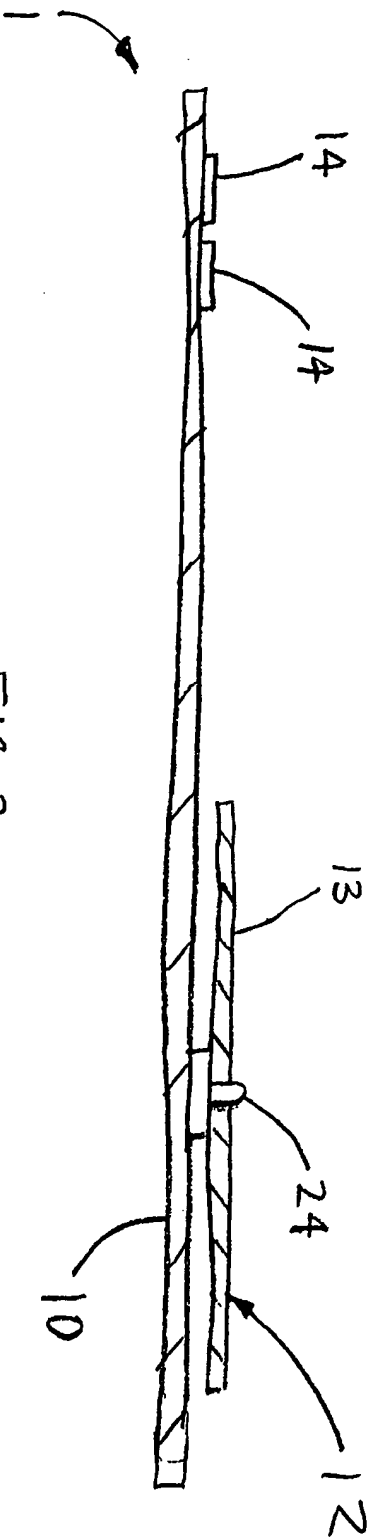


FIG. 2

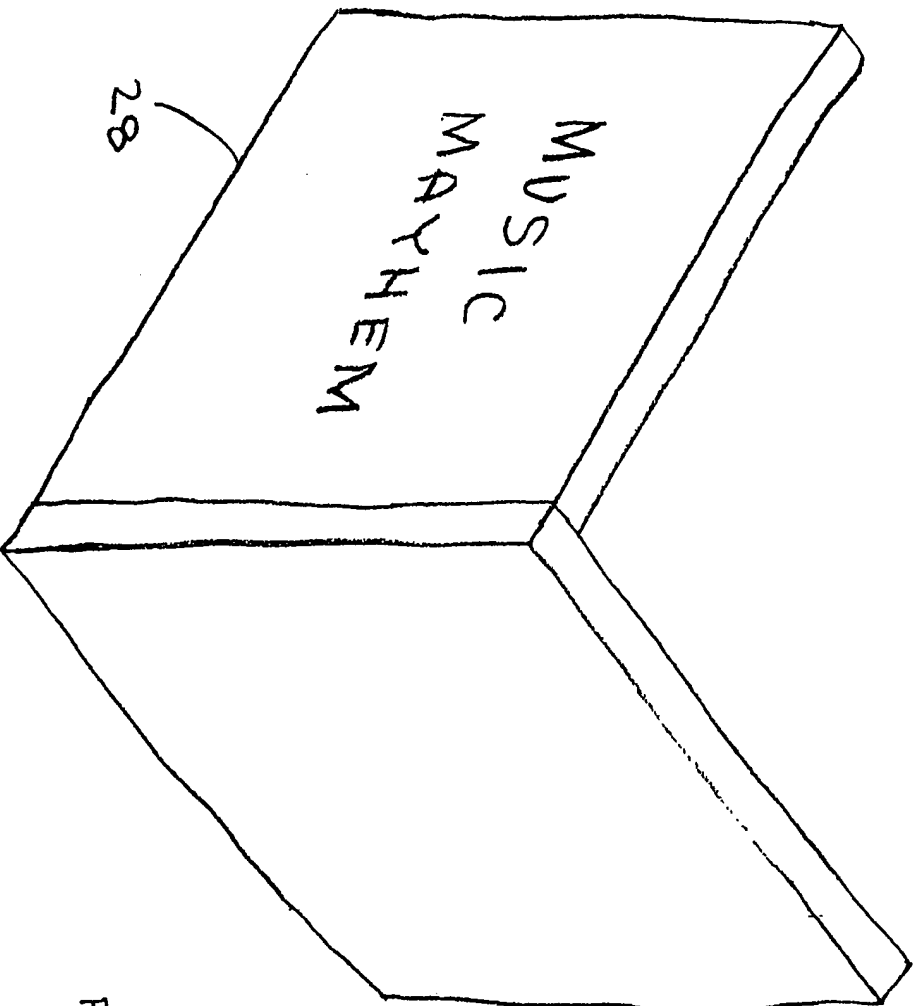


FIG. 3